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useless to say how opposed in politics it must be to the idea of progress and human perfectability. Just causes rarely triumph in the world. The best are lost by their own errors. The dreams of democracy receive his profound contempt." From the picture of Schopenhauer he turns to Herbart, whose system he portrays as a reaction toward ordinary realism. "This movement led politics in the direction of liberty, but philosophy in that of materialism." He closes with a few words on the "harmonic philosophy" whose fundamental idea is the idea of humanity. EDITOR.]

The "Popular Science Monthly," which we are glad to learn is now circulating nearly a hundred thousand copies of each issue, is doing an essential service in furnishing for the people an education in all the valuable and interesting results of natural science.

In the October number (1873) of this periodical an epoch is made in its history by the commencement of a series of articles on "The Primary Concepts of Modern Physical Science, by J. B. Stallo." Those acquainted with the history of Speculative Philosophy in this country need not be told that this is Judge Stallo of Cincinnati, and that he is the ablest writer of our time on the subject named. Thoroughly acquainted with everything written by the thinkers and observers in the department of natural science, he is also well versed in the several systems of speculative thought that have appeared in the world. In his first article he treats of "The Theory of the Atomic Constitution of Matter." He believes in freeing physical science from the crude metaphysics which infests it, and attacks first the atomic theory. Some very remarkable scaffolding is demolished by this article, and its results on the current theory regarding light and colors are quite startling. We shall notice this and subsequent articles of Judge Stallo in future numbers of this journal. EDITOR.

## BOOK NOTICES.

*Grundzüge der Praktischen Philosophie, Naturrecht, Ethik und Aesthetik.* Von Hermann Ulrici. Erster Band. Allgemeine grundlegende Einleitung. Das Naturrecht. Leipzig: T. O. Weigel. 1873.

This volume belongs to the second part of Professor Ulrici's great work *God and Man* (Gott und der Mensch). In 1866 appeared his *God and Nature* in a second edition, and the same year he put out the first part of *God and Man*, containing the "elements of a psychology of man," under the title of "Body and Soul." In the volume before us we have, first, a general introduction in which our author seeks to define and establish scientifically the ethical nature of man, and his freedom, and the origin of ethical ideas. Accordingly he investigates the nature and idea of the will, discriminating it from the various forms of impulse and desire as well as from all theoretical faculties. He defines its relation to the latter, and finally comes to the idea of Will as the *impulse of the soul to give to itself validity*, i.e. to realize and actualize itself. "The act of the will is an act of self-determination, and hence an act of self-diremption, although not an act of the intellect."

He next proceeds to consider the question of the freedom of the will, and discusses the consciousness which we have of this freedom, the objections urged against the existence of freedom. He finds that the causal-nexus which forms the necessity of Nature does not contradict the idea of freedom inasmuch as an efficient cause is to be found in the Will. After considering briefly the arguments against free-will drawn from the doctrine of an overruling Providence, from the logical necessity which determines rational conviction, from social statistics, he passes over to the ground and origin of our ethical ideas, and treats the topic under the heads—the idea of the true, that of the good, that of the beautiful.

After the Introduction we begin the elaboration of the several branches or “disciplines” of Practical Philosophy, the first of which is *Natural Right*: I. The idea of Right (or Justice); II. Immediate, unconditioned rights and duties; III. Mediated, conditioned rights and duties; IV. Laws of the State, or statute laws. Under II. are included—1. Right to existence and subsistence; 2. Right to hold property; 3. Right to make contracts; 4. Rights of person, (a) marriage, (b) family; 5. Rights based on personal honor. Under III. are embraced those regulations which arise from the growth of the family into a tribe and confederation of tribes, such as caste systems, &c. Under IV. we have—1. The right of self-preservation on the part of the state; 2. The right of legislation; 3. The right of executing laws, (a) the right of jurisdiction and administration of justice, (b) the right of government. In considering the last of these topics he enters into a very interesting discussion of the *form of government*, holding monarchy, aristocracy, and democracy—the old distinctions—to be mere empty abstractions. The main point, according to him, is the stage of development of the idea of justice in the consciousness of the people. With a low development of this, nothing but despotism can ensue even under a republican form. And with a high development of the idea of justice in the consciousness of a people, whether the form be monarchy as in Prussia or aristocracy as in England, there is a general realization of freedom for each and all individuals. Professor Ulrici considers the true distinction of governments to be founded on the basis developed in the ideas that underlie the unconditioned, immediate rights, namely: I. Property-state; 2. Contract-state; 3. Personal-rights-state. He traces the growth of the Roman State through the stage of the “consciousness of property-rights” (the XII tables) up to the full development of the consciousness of the rights of contracts (under the later judicial administration of the prætors). Corresponding with the contract-rights is the Republican form of government. Professor Ulrici discusses this form and its transition into a higher one, that of the personal-rights-state (which he finds in a constitutional monarchy) in a way to interest American thinkers. “A republican state,” he says, “is defined in the general description of this contract-state, and it is indifferent to its essence and ideal structure whether the government be carried on immediately through the nation itself (through resolutions of popular assemblies) or through one or more elected representatives.” “It remains republican whether it has a democratic or aristocratic constitution; politically this distinction is without significance, but historically they have for the most part originated in aristocracies and passed over into democracies (the former degenerating

into oligarchy and the latter into ochlocracy or mob-rule). All states, all governments—and, contrariwise, *only* those governments—whose substance and basis rest on the consciousness of contract-rights are republican. Only so long as the popular consciousness is in conformity with those obligatory determinations whose acceptance and execution lies at the basis of the government—only so long as this phase of the consciousness of rights is alive in the people, can its rulers rule in accordance with, or the governed allow themselves to submit to it, i.e. only so long will the state exist as republic. In other words, the republic is possible only so long as each citizen participates with his whole personality in the state and feels himself bound to the state, and at the same time perfectly justified and clothed with authority by the state, in turn [i.e. he gives his entire personality to the state, and in turn feels himself reinforced in his individuality by the entire might of the state]. Therefore a republican representative constitution in which the people do not participate immediately in the government, but only through a number of elected representatives—the only possible form of this participation in a great and mighty nation—is in truth not republican, but in contradiction with the essence and spirit of a republic. For although a party to a contract can appoint an attorney who as such is limited in power by his commission, yet he cannot appoint a representative who as such is perfectly free to act according to his own judgment. The most famous and important republic of the present day, and the only first-class power among republics, the American, is therefore substantially only a modified constitutional monarchy, and even as such possible only because composed of a number of smaller, relatively independent states.” These remarks suggest the view of Hegel which has been so often scouted by republicans, not excepting even Mr. Castelar, the ardent admirer of the Hegelian Philosophy. It seems to us a mistake to interpret logical deductions with so great strictness as to prevent one from identifying under Hegel’s definition of the constitutional monarchy the essential characteristics of our own republic. The complete organization and development of the three essential branches of government, their independence of each other and of the sudden changes of popular opinion, furnish a concrete realization of the ideal monarchy demanded by the Philosophy of Rights. What so-called monarchy, indeed, is there which has proved itself so strong against the danger of subversion through revolution as ours? and have we not proved that our government possesses in the highest degree the unity of rule specially claimed for monarchies?

In conclusion, we desire to say that the thought of Professor Ulrici to base his different national forms upon the distinction of stages of culture in the civil society which they represent, is a very fruitful thought. It would seem that the growth of freedom in modern times is directly conditioned through this development of civil society, and that the form of government is well-nigh indifferent compared with the stage of consciousness regarding rights. It is not so much that we call ourselves a republic, as that our society has risen to the basis of productive industry, which is the leading principle in the modern world, and is conquering WANT and NECESSITY, so that all people may ascend to the still higher stand-point of the personal-rights-state which Professor Ulrici has elaborated as the highest ideal of a state.